

ORDINANCE NO. 171

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF A CITY ATTORNEY FOR THE CITY OF GREENLAND, ARKANSAS; REPEALING ORDINANCE NO. 169 AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY TO EXIST, AND FOR OTHER PURPOSES

WHEREAS, Arkansas Code Annotated Section 14-42-112 has been interpreted to require Arkansas Cities of the Second Class Incorporated towns to hold elections for the position of Municipal Attorney;

WHEREAS, Act 645 of 1997, became effective to amend Section 14-42-112 on August 1, 1997;

WHEREAS, the City of Greenland, Arkansas, has, since incorporation as a town, appointed its Municipal Attorneys as required by the needs of the Town/City;

WHEREAS, the Greenland City Council having considered benefits to the City of electing a Municipal Attorney considered the benefits to the City of appointing its Municipal Attorney; and,

WHEREAS, the City Council of Greenland, Arkansas, determined that the best interest of the City and its citizens will be most effectively served by the continued appointment of its Municipal Attorney.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GREENLAND, ARKANSAS, THAT

1. The Municipal Attorney for the City of Greenland, Arkansas, shall be appointed by the Mayor and approved by a
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majority of the City Council for terms of two (2) years which term shall begin January 1 of each odd numbered year and end on December 31 of the following even numbered year or for periods of time as may be required to fill vacancies.

2. That nothing herein shall prevent the aforesaid City Council, by majority vote, from terminating a Municipal Attorney, at will, with or without cause, furthermore, nothing herein shall prevent a duly appointed and acting Municipal Attorney from resigning such position at will, and in either event no prior notice shall be required.

3. That the Municipal Attorney shall be responsible for representing the City of Greenland in all actions civil and criminal, to attend all meetings of the City Council, to give (when called upon) advice in matters of law to the Mayor and City Council, to write ordinances referred to him by the City Council, to write or pass upon the legal form and validity of all contracts (when called upon to do so), and providing general legal services to the City as may be required by local Ordinance or State law.

4. That the salary of the Municipal Attorney in his respective positions of City Attorney and Prosecuting Attorney shall be set by the City Council from time to time.

5. That Ordinance 169 and all other ordinances and parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GREENLAND, THAT an emergency exists, immediate passage and
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implementation of this Ordinance is necessary for the efficient administration of City business and to preserve the public peace health, safety and welfare of the citizens of Greenland, Arkansas, and therefore, this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 11th day of August, 1997

Ray Barnett
MAYOR

Donna Cheevers
RECORDER/TREASURER